

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**STATE FARM FIRE AND CASUALTY COMPANY
as subrogee of ROBERT MIDDLETON**

PLAINTIFF

VS.

CAUSE NO.:3:06cv591

NORCOLD, INC.

DEFENDANT

AGREED ORDER OF DISMISSAL WITH PREJUDICE

UPON motion *ore tenus* and agreement by the Plaintiff, State farm Fire and Casualty Company and Defendant, Norcold, Inc., to dismiss any and all claims made by the Plaintiff against Norcold, Inc., *with prejudice*, and the Court, being advised the above referenced parties have reached an accord and satisfaction, and therefore the above referenced Plaintiff desires to dismiss all claims that have been or could have been made herein against Norcold, Inc., finds that said motion is well-taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED, that this case is hereby dismissed *with prejudice* against Norcold, Inc., with each party to bear their own costs, expenses and attorneys fees.

SO ORDERED AND ADJUDGED, this the 25th day of October, 2007.

/s/ Tom S. Lee

UNITED STATES DISTRICT COURT JUDGE

Agreed and Approved for Entry:

/s/ Jennifer S. Lee

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